

Docket No.
105026/002
SBP:RE:cj

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andrew Casper
Serial No. : New Application
Filed : Herewith
For : SECURE TRANSACTION PROCESSING SYSTEM AND METHOD

March 8, 2000

**PETITION TO MAKE SPECIAL
FOR NEW APPLICATION UNDER M.P.E.P. § 708.02 VIII**

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Applicant respectfully petitions, pursuant to M.P.E.P. §708.02 VIII, that this new patent application, which has not received any examination by the Examiner, be made special.

The claims in this application are directed to a single invention. If the Examiner determines that the claims presented are not obviously directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

A pre-examination search was conducted by a professional searcher in the U.S. art collections maintained at the U.S. Patent and Trademark Office. The pre-examination search

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Name: PATRICIA DRISCOLL

Signature: Patricia Driscoll

JC553 U.S. PTO

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was conducted in Class 705, subclasses 01, 18, and 26. The search uncovered ten patents, namely U.S. Patent No. 5,890,137 to Koreeda ("Koreeda"), U.S. Patent No. 5,826,241 to Stein et al. ("Stein"), U.S. Patent No. 5,822,737 to Ogram ("Ogram"), U.S. Patent No. 5,757,917 to Rose et al. ("Rose"), U.S. Patent No. 5,754,656 to Nishioka et al. ("Nishioka"), U.S. Patent No. 5,729,594 to Klingman ("Klingman"), U.S. Patent No. 5,710,887 to Chelliah et al. ("Chelliah"), U.S. Patent No. 5,283,731 to Lalonde et al. ("Lalonde"), U.S. Patent No. 5,223,699 to Flynn et al. ("Flynn"), and U.S. Reexamination Patent No. B1 4,947,028 to Gorog ("Gorog"). Copies of all ten references are enclosed and listed in the accompanying PTO form 1449.

Applicant respectfully submits that the subject application is distinguishable over the enclosed references in that none of the enclosed references teach or suggest, whether individually or in combination, the claimed system and method for processing secure transactions.

Claim 1 of the subject application defines a processing system for processing a secure purchase order between a purchaser and a merchant across a public network. The processing system generally comprises a purchaser account database, a disabler, and a processor. The purchaser account database stores purchaser account information for each purchaser, which includes at least one of a purchaser identifier for identifying a particular purchaser and delivery data associated with the purchaser identifier and containing a delivery address of the purchaser for fulfillment of the purchase order. Further, a disabler monitors the status of the purchaser account database and disables the purchaser account database in response to a monitored change in the purchaser account information. Yet, further, a processor receives purchase orders, which include the purchaser identifier, from the public network and causes the delivery data associated with the purchaser identifier to be communicated to the merchant.

Dependent claims 2-10 depend from independent claim 1 and add further limitations to

the processing system. Dependent claims 2-4 further define that the delivery address can be a physical address, an electronic address, or more specifically an e-mail address. Dependent claim 5 further defines that the delivery data can include only one specific address for each particular type of address, such as one physical address, one electronic address (and if applicable, only one specific e-mail address). Dependent claim 6 further defines that the disabler disables the purchase identifier for a particular purchaser when either the purchaser identifier or the delivery data is altered. Dependent claim 7 adds that the purchaser account information further comprises payment data associated with the purchaser identifier and contains data for facilitating payment of the purchase orders.

Dependent claim 8 adds that the processing system further comprises a securitizer disposed between a secure network and the public network and that the secure network includes the purchaser account database and the processor. As defined by claim 8, the securitizer prevents unauthorized access to the secure network. Dependent claims 9 and 10 further define that the disabler is operatively connected to the securitizer and that the securitizer monitors the processing system to determine if any alterations to the delivery data are being attempted. The securitizer outputs a trigger to the disabler if such alterations are attempted. In response to the trigger, the disabler disables the particular purchaser account information or more specifically, as defined by dependent claim 10, the disabler invalidates the purchaser identifier.

Independent claim 11 defines a processing system which comprises a purchaser account database, a disabler, a processor, and a securitizer. Dependent claims 12 and 13, further define that the public network is the mail and that the merchant is a catalogue company and that the merchant is a utility company, respectively.

Dependent claim 14 defines a transaction processing service comprising a processing

system which includes a purchaser account database, a disabler, and a processor for receiving the purchase orders. Dependent claims 15 and 16 further define that the service is operated by a credit card company or by a financial institution, respectively.

Independent claim 17 defines a method of facilitating secure transactions between purchasers and merchants across a public network comprising the steps of: (1) issuing a purchaser identifier; (2) restoring purchaser account information on a storage device; (3) monitoring the storage device to determine the status of the purchaser account information; (4) disabling the storage device if the status of the purchaser account information has changed; (5) receiving a purchase order at the processing system; and (6) communicating only the delivery data to the merchant.

Dependent claim 18 adds the steps of storing purchasing data associated with a purchase identifier corresponding to an ability to pay and method of payment for the particular purchaser, determining whether the particular purchaser can pay for the product, and if so, transferring payment to the merchant. Dependent claim 19 discloses the method of claim 17 further comprising the step of invalidating the purchaser identifier if the delivery data is altered.

Independent claim 20, defines a method of facilitating transactions comprising the steps of selecting a product offered for sale by a merchant, inputting a purchaser identifier into a device, communicating a purchase order for the product associated with the product identifier, processing the purchase order, and outputting a delivery address associated with the purchaser identifier.

Detailed Discussion of the References

As required by 37 CFR 1.111(b) and (c), applicant now submits a detailed discussion of the references, which point out with particularity how the claimed subject matter is patentable over the references.

As will be discussed further, none of the references uncovered by the search teach or suggest, whether in combination or alone, a processing system or service having the elements of independent claims 1, 11, and 14. In addition, none of the references teach or suggest, whether in combination or alone, a method of facilitating secure transactions comprising the steps of independent claims 17 and 20.

In particular, none of the references discloses a system or method including a disabler for monitoring the status of the purchaser account database and disabling the purchaser account database in response to a monitored change in the purchaser account information. Further, none of the references disclose a system or method wherein only one specific address for each particular type of delivery address can be stored and wherein such address cannot be changed. Moreover, none of the references teach or suggest a securitizer that monitors the processing system and outputs a trigger to the disabler in response to attempted changes in the delivery data.

1. The Koreeda Reference

The Koreeda reference describes an online shopping system and a method of payment settlement. The system requires that the user select products from a shopping mall on the Internet or other computer network. After finishing selection of all products the user wants to purchase, the user finishes the session with the Internet and a routine or other program having a product confirmation unit, transmission unit, and encipherment unit is activated. Using this program, the user confirms selection of the products to be purchased and then on a personal data input screen inputs the user's personal data. As illustrated by FIG. 7, the user can specify a delivery address other than the user's address as recorded on the credit card. Further, although according to Koreeda, the credit card number can be enciphered, the enciphered number is still transmitted through a public line using a point-to-point protocol (PPP).

Koreeda further describes a service center which includes a distribution unit for distributing the product data and the personal data for which the payment settlement has been approved. Moreover, a delivery processing unit is provided for receiving the product and personal data to perform the delivery process of the product purchase.

Unlike the present invention, however, Koreeda does not teach or suggest a purchaser identifier for identifying a particular purchaser wherein the purchaser identifier is unrelated to any financial information. Koreeda also does not disclose a disabler for monitoring the status of the purchaser account database and disabling the purchaser account database in response to a monitored change in the purchaser account information. Further, Koreeda does not teach or suggest a processing system where a delivery address for fulfillment of a purchase order is stored and where any changes to the delivery address results in the purchaser identifier being disabled.

2. The Stein Reference

The Stein reference describes a computerized system for making payments and authenticated transactions over the Internet. The system is designed for purchase of information products transferred electronically over the Internet. The system can process a debit to a bank account of the buyer or instruct the issuer to send a bill to the buyer (other than a credit card bill) for the charges accumulated. Further, Stein describes a card number which uniquely identifies the card holder account. The card number is an alphanumeric string that bears no deductible relationship to any financial artifact.

Unlike the present invention, however, Stein does not teach or suggest a disabler for monitoring the status of the purchaser account database and disabling the purchaser account database in response to a monitored change in the purchaser account information. Further, Stein does not teach or suggest a processor for receiving the purchase order and causing the delivery

data associated with the purchaser identifier to be communicated to the merchant.

3. The Ogram Reference

The Ogram reference describes a financial transaction system where the payment processor and computer communicates the self-generated transaction indicia and a password to a customer's computer for the same to use the password with the merchant's computer to obtain access to protected information and to establish shipping instructions. The Ogram system requires use of encryption software to encrypt credit card information.

Ogram, however, fails to teach or suggest a processing system comprising a purchaser account database, a disabler, and a processor. Further, and more specifically, Ogram fails to teach that the password is associated with delivery data of a user or purchaser.

4. The Rose Reference

The Rose reference describes a computerized payment system consisting of a message to a buyer requesting confirmation of a transaction identified in a message received from the seller so that the payment information can be transmitted off the network to an agent of the user. Rose further describes that a buyer card holder account, which includes a card number, the card holder's name, the card holder's Internet e-mail address, a state, and a "pay-in" selection, is stored in the payment system.

Rose, however, does not teach or suggest the disabler for monitoring the status of the purchaser account database and disabling the purchaser account database in response to a monitored change in the purchaser account information.

5. The Nishioka Reference

The Nishioka reference discloses an electronic shopping method, electronic shopping system and document authenticated method relating thereto which consists of apparatus in the

system having corresponding keys "cyphertext" to authenticate information used for the purchase of goods.

Unlike the present invention, however, Nischioka does not teach or suggest a purchaser account database, a disabler, or a processor in accordance with the present invention.

6. The Klingman Reference

The Klingman reference describes an online secured financial transaction system for electronic media consisting of a telecom network link to communicate a telephone number associated with the desired product from the user to a remote receiver to allow the user to buy the product.

Klingman, however, does not teach or suggest a purchaser account database for storing purchaser account information or a disabler for monitoring the status of the purchaser account database and disabling the purchaser account database.

7. The Chelliah Reference

Chelliah describes a computer system and method for electronic commerce consisting of a customer monitoring object assigned to each customer for communicating with the supplier of goods. The monitoring object is created by referencing information pertaining to that customer which has been stored in the customer information database. When the customer selects a supplier, the object is configured to operate by responding to customer inquiries regarding the items for sale, retrieving information about the items, answering customer communications about the items and communicating to initiate delivery of the items to the customer. Further, Chelliah describes use of a password to authenticate the identity of the customer.

Unlike the present invention, Chelliah does not teach or suggest a disabler for monitoring the status of a purchaser account database and disabling the purchaser account

database in response to a monitored change in the purchaser account information.

8. The Lalonde Reference

Lalonde describes a computer-based classified ad system and method consisting of a database describing an item sought from others to the system and a database for comparing the profile data to the ads in the ad database to determine if any of the ads match the profile. If so, the computer-based classified ad system generates text output data comprising the matching ads.

Lalonde, however, does not disclose a processing system for processing a secure purchase order between a purchaser and a merchant across a public network. Thus, Lalonde also does not teach or suggest a purchaser account database, a disabler, and a processor which comprise the processing system of the present invention.

9. The Flynn Reference

Flynn describes a recording and billing system consisting of a single credit card containing at least first and second authorization codes. The first code permits access to the telecom network and the second code is used for billing so that a single bill can be rendered to the user. A pin is associated with each card and issued to an authorized user.

Flynn, however, does not teach or suggest a processing system for processing secure purchase orders. Moreover, Flynn does not teach or suggest a disabler for monitoring the status of a processor account database and for disabling that database in response to a monitored change in the purchaser account information. Further, a processor for receiving purchase orders from a public network including a purchaser identifier is not disclosed.

10. The Gorog Reference

Gorog describes an automated order and payment system consisting of a series of identification codes that uniquely identify the company offering the product/service for sale and

the individual product/service desired. Such codes may be bar codes and ordering of the goods/services undertaken by optical scanning means or voice demand. Delivery of the goods or services is done by pre-arranged parameters or selectively designated by the customer at the time of the sale, which will confirm the delivery date and the time desired.

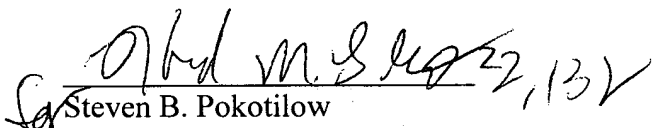
Gorog, however, does not teach or suggest a disabler for monitoring the status of the purchaser account database and disabling the purchaser account database in response to a monitored change in the purchaser account information.

In sum, Applicant respectfully maintains that the subject application is distinguishable over the enclosed references whether alone or in combination. In view of the foregoing, it is respectfully requested that the Application be made special and that the claims presented be allowed.

The Examiner is authorized by accompanying fee letter to charge the Petition Fee of \$130.00 and any deficiencies against Deposit Account No. 19-4709.

Early and favorable action in connection with the application is earnestly solicited.

Respectfully submitted,


Steven B. Pokotilow
Registration No. 26,405
Attorney for Applicants
STROOCK & STROOCK & LAVAN LLP
180 Maiden Lane
New York, New York 10038-4982
(212) 806-5400